

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :	CRIMINAL NO.	
	:	
v.	:	DATE FILED:
	:	
WILLIAM HARGROVE	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1) (distribution of a
	:	controlled substance (“crack” cocaine) - 1 count)
	:	18 U.S.C. § 922(g)(1) (felon in possession of a
	:	firearm - 3 counts)
	:	Notice of additional factors
	:	Notice of prior conviction
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about May 24, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

WILLIAM HARGROVE

knowingly and intentionally distributed more than 5 grams, that is approximately 6.558 grams, of
cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(iii).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 24, 2004, in the Eastern District of Pennsylvania, defendant

WILLIAM HARGROVE,

having been convicted in a court of the United States of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm, that is, a Smith & Wesson 44-magnum revolver, serial # BEC3785, loaded with six rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 28, 2004, in the Eastern District of Pennsylvania, defendant

WILLIAM HARGROVE,

having been convicted in a court of the United States of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm, that is, a FEG Interarms, model R-9, 9mm semi-automatic pistol, serial # OR9483, loaded with fifteen rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 23, 2004, in the Eastern District of Pennsylvania, defendant

WILLIAM HARGROVE,

having been convicted in a court of the United States of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm, that is, a DPMS Inc. AR-15 type rifle, with Becker, MN imprinted on the rifle, serial #13719, loaded with twenty-one rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts Two, Three and Four of this indictment, defendant William Hargrove:

_____ a. Committed an offense which involved a firearm described in 18

U.S.C. § 921(a)(30), as described in U.S.S.G. § 2K2.1.

b. Committed an offense involving three firearms, as described in
U.S.S.G. § 2K2.1(b)(1)(A).

NOTICE OF PRIOR CONVICTION

THE GRAND JURY FURTHER CHARGES THAT:

Defendant **WILLIAM HARGROVE** committed the offenses charged in Counts Two, Three and Four of this indictment after having been convicted in a court of the United States of a felony offense as follows:

1. Being a Felon in Possession of a Firearm - United States Federal Court, Eastern Judicial District of Pennsylvania; Criminal No. 88-336.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

(NARCOTICS FORFEITURE)

1. As a result of the violation of Title 21, United States Code, Section 841 set forth in Count One of this Indictment, defendant

WILLIAM HARGROVE

shall forfeit to the United States under Title 21, United States Code, Section 853:

(a) any and all real and/or personal property, including \$200.00 constituting proceeds, or derived from, any proceeds obtained directly or indirectly as the result of the violation of Title 21, United States Code as charged in this Indictment.

(b) any and all real and/or personal property which the defendant used in any manner or part to facilitate the commission of the violations of Title 21, United States Code as charged in this Indictment;

2. If any of the property subject to forfeiture, as a result of any act or commission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, section 853(p), to seek forfeiture of any other property of said defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 922(g) set forth in Counts Two, Three and Four of this indictment, defendant

WILLIAM HARGROVE

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of these offenses, including, but not limited to:

(a) a Smith & Wesson 44-magnum revolver, serial # BEC3785, loaded with six rounds of ammunition;

(b) a FEG Interarms, model R-9, 9mm semi-automatic pistol, serial # OR9483, loaded with fifteen rounds of ammunition; and

(c) a DPMS Inc. AR-15 type rifle, with Becker, MN imprinted on the rifle, serial #13719, loaded with twenty-one rounds of ammunition.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney